IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

WP(C).No. 19105 of 2007(Y)

PETITIONER:

SUBAIR ALI, AGED 53 YEARS,
S/O. KUKNJALI, MANGALATH HOUSE, CHOOLUR,
THRIPRAYAR, THRISSUR DISTRICT.

BY ADV. SRI.V.M.KRISHNAKUMAR

RESPONDENTS:
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1. THE SUB INSPECTOR OF POLICE,
VALAPPAD POLICE STATION, VALAPPAD.

2. THE CIRCLE INSPECTOR OF POLICE,
VALAPPAD.

3. THE SUPERINTENDENT OF POLICE, THRISSUR.

BY GOVT.PLADER SRI P.A.SALIM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R. RAMAN & K. HEMA, JJ.

W.P.(C) NO. 19105 OF 2007

DATED THIS, THE 26TH DAY OF JUNE, 2007.

J U D G M E N T

Raman, J.

Petitioner alleges that he is asked to put down the shutters of his establishment forcibly by Respondents 1 and 3, orally.

2. Learned Government Pleader on instructitons, would deny the same. He submits that the police have received several complaints against the petitioner alleging cheating. While the police could investigate the crime registered, they cannot ask the petitioner to close down his business establishment except in accordance with law and by putting it in writing. However, it is open to the police officials to see whether the business conducted by the petitioner is with proper licence. Since the complaint is made against Respondents 1 and 2, the matter shall be enquired into by the third respondent, Superintendent of Police, Thrissur.

3. A copy of this order shall be issued to the petitioners so as to produce the same before the third respondent, along with a copy of the writ petition. The third respondent shall enquire into the allegations of

harassment meted out to the petitioner from Respondents 1 and 2 and do the needful in case the allegation is found true.

With the above direction, the writ petition is closed.

P.R. RAMAN,
(JUDGE)

K. HEMA,
(JUDGE)

knc/-